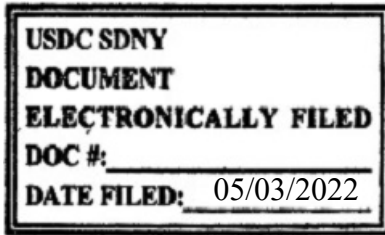


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VIA ECF

April 26, 2022

Hon. Barbara Moses, U.S.M.J.
United States District Court
Southern District of New York
500 Pearl St., Room 740
New York, NY 10007

MEMO ENDORSED

Re: Seaman et al. v. Nat'l Collegiate Student Loan Trust 2007-2 et al., 18-CV-1781
Bifulco et al. v. Nat'l Collegiate Student Loan Trust 2004-2 et al., 18-CV-7692

Dear Judge Moses:

We represent Plaintiffs in the above-referenced cases, and write on behalf of all Parties jointly pursuant to your Order of April 19, 2022 (Dkt. No. 382 in Case No. 18-cv-1781; Dkt. No. 310 in Case No. 18-cv-7692) (the “Order”). The Order’s Part 3 requires additional justification for the sealing of documents filed under seal during the Rule 23 motion practice.

The Parties propose that the documents listed below—all submitted as exhibits during the motion practice—be publicly filed with redactions. The redactions are to protect personal identification information of Plaintiffs, such as full social security number, date of birth, phone numbers, and identity and/or contact information of potential relatives and associates not party to the litigation.

The Parties’ proposed redactions will “preserve[] higher values”—specifically, protection against possible identity theft—but are “narrowly tailored” to the need for this preservation, as the Parties only redact limited portions of the documents. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006) (quotation omitted); *see* Ord. at 3.

Per the Order’s instructions, the Parties have prepared and are now filing (1) proposed redacted versions, on the public docket and (2) sealed versions, with proposed redactions highlighted but not applied.

There are seven (7) total documents in question, and we list them in the order in which they were filed as exhibits, with references to the lead docket:

1. 1st Decl. of Asher Hawkins – Dkt. No. 315 in Case No. 18-cv-1781 (Mot.)
 - a. 315-14 – F&G account notes (Plaintiff social security number, date of birth).
 - b. 315-15 – TSI account notes (personal info of potential relatives/associates not party to litigation).
 - c. 315-16 – TSI system screenshots (Plaintiff social security numbers, personal contact info).

April 26, 2022

Page 2

2. Decl. of Bradley Luke – Dkt. No. 330 in Case No. 18-cv-1781 (Opp.)
 - a. 330-13 -- TSI system screenshots (Plaintiff social security numbers, personal contact info).
 - b. 330-43 – TSI internal document (Plaintiff social security number)
 - c. 330-51 – TSI internal document (Plaintiff social security number)
3. 2d Decl. of Asher Hawkins – Dkt. No. 336 in Case No. 18-cv-1781 (Reply)
 - a. 336-15 – TSI account notes (personal info of potential relatives/associates not party to litigation).

For the reasons above, the Parties request that the attached documents be maintained on the public docket with the redactions proposed. The Parties agree to the unsealing of all Rule 23 papers referenced in the Order and not listed above (except that Dkt. No. 315-13 should remain under seal per the Order's Part 1).

/s/ Gregory A. Frank

cc: all counsel (via ECF)

Application GRANTED. The exhibits at Dkt. Nos. 315-14, 315-15, 315-16, 330-13, 330-43, 330-51, and 336-15 in Case No. 18-cv-1781 (and the corresponding exhibits in Case No. 18-cv-7692) will remain filed on the public docket with the redactions proposed by the parties. The exhibit at Dkt. No. 315-13 in Case No. 18-cv-1781 (and the corresponding exhibit in Case No. 18-cv-7692) will remain sealed. All other declarations, exhibits thereto, and briefs filed in connection with the Rule 23 motion will be unsealed in both Case No. 18-cv-1781 and Case No. 18-cv-7692. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 393 in Case No. 18-cv-1781 and Dkt. No. 321 in Case No. 18-cv-7692. SO ORDERED.



Barbara Moses
United States Magistrate Judge
May 3, 2022